

From: Cray Horse
To: Microsoft ATR
Date: 12/8/01 10:53am
Subject: Microsoft Settlement

Department of Justice,

Your original remedy called for MSFT to be split apart; now you are content that MSFT merely donate their software to schools. This is a horrible solution, since it will only serve to strengthen the MSFT monopoly in the educational market. Apple has suggested that MSFT be required to donate a large amount of cash to the schools, which would certainly harm MSFT profits in the short term but would not strike at the heart of their monopoly.

The heart of the MSFT monopoly derives from their control of the operating system in conjunction with their control of dominant desktop applications, such as MS Office. Every time someone emails us an Powerpoint presentation or a Word document, we are forced to use a MSFT application. Everytime MSFT changes one of their file formats, we are forced to upgrade our Office installation so that we can continue to process our email correspondence. Since the Office applications are only supported on MSFT operating systems, we are also forced to purchase MSFT operating systems and keep them up-to-date against our will.

I therefore propose the following simple conduct remedy for the MSFT monopoly: require MSFT to support ALL of their application software on ALL operating systems with a non-negligible installed base (eg., at least 1% market share). That would require MSFT to support MS Office, Internet Explorer, Outlook, and SQL Server on Apple OS X, Sun Solaris, Linux, Palm OS, and others as well. This solution would strike at the heart of MSFT's operating system monopoly, because now (for the first time) our choice of application software is truly separated from our choice of operating system.

The details are tricky but manageable by an appropriately careful mind. The restriction must apply to MSFT and any company in which they had more than 5% direct or indirect interest; otherwise, they could circumvent the restriction by spinning off their application software groups into subsidiaries. The restriction should prohibit them from releasing any application on Windows until it had been released on all competitive operating systems. The restriction must also ensure that the quality of the non-Windows ports to be at least as high as the Windows ports, otherwise they could torpedo the restriction by making their software unusable on non-Windows systems. (For example, you could impose financial penalties if the quality of the non-Windows port falls below the quality of the Windows port, or prevent them from shipping/selling Windows products while the non-Windows were of lesser

quality.) And so on.

Sincerely,

A citizen who believes in competitive markets

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